Docket Number (Optional) Mirus.013.03.1

In re Application of: Sean D. Monahan et al.

Application No.: Filed:

10/600,290 06/20/2003

For:

BEST AVAILABLE COPY

Intravascular Delivery of Non-Viral Nucleic Acid

percent interest in the instant application hereby The owners, Mirus Bio Corporation, of 100 discialms, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,627,616. The owner hereby agrees that any patent . The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

in making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a meintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 GFR 1.321, has all claims canceled by a reexamination certificate. Is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. 🔲	For submissions on behalf of an organization (e.g., corporation, partnership, university, government of	gency,
	For submissions on behalf of an organization (e.g., corporation, partnership, university, government etc.), the undersigned is empowered to act on behalf of the organization.	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on Information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may Jeopardize the validity of the application or any patent Issued thereon.

2.	X	The undersigned is	an attorney or	agent of record.
----	---	--------------------	----------------	------------------

Signature

07/06/2006

67/67/2006 TL0111

06000039 10600290

01 FC:2814

65.09 OP

Kirk Ekena Typed or printed name 608-441-2829

Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) included.

WARNING: information on this form may become public. Credit card information should not be included on this form. Provide cradit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This obligation of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Parent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1489, Alexandris, VA 22313-1469.

If you need essistance in completing the form, call 1-600-PTO-9199 and select option 2.